

5182. Clinical thermometers. (F. D. C. No. 39246. S. No. 49-267 M.)

QUANTITY: 186 *clinical thermometers* at Chicago, Ill.

SHIPPED: 3-17-56, from New York, N. Y., by Philbern Thermometer Co., Inc.

LABEL IN PART: (Ctn.) "One Fever Thermometer * * * Philbern Rectal."

ACCOMPANYING LABELING: Leaflet designated "Certificate of Examination Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination revealed that 3 out of 23 thermometers taken from this lot failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 5-21-56, N. Dist. Ill.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statement in the labeling accompanying the article, namely, "This clinical thermometer has been tested by a Standard Thermometer, approved by the Bureau of Standards, Washington, D. C., at the following degrees and found to stand at: 98° 100° 104° 106°," was false and misleading.

DISPOSITION: 6-20-56. Default—destruction.

5183. Clinical thermometers. (F. D. C. No. 39290. S. Nos. 31-078/9 M.)

QUANTITY: 552 *clinical thermometers* (408 oral and 144 rectal) at Lancaster, Ohio.

SHIPPED: From Brooklyn, N. Y., by Hygrade Thermometer Co. (The date of shipment is unknown.)

LABEL IN PART: (Ctn.) "Clinical Thermometers Type—Oral (or Rectal) Tri-Top."

ACCOMPANYING LABELING: Leaflet designated "Certificate for DEBS Clinical Thermometers."

RESULTS OF INVESTIGATION: Examination revealed that 5 out of 24 oral and 11 out of 24 rectal thermometers failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 6-29-56, S. Dist. Ohio.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statement in the labeling accompanying the article, namely, "This Certifies that these thermometers have been carefully compared with a standard thermometer, bearing certification mark of the U. S. Bureau of Standards * * * The manufacturers * * * guarantee that these thermometers have been tested and found to comply with the requirements of the Department of Commerce Commercial Standard CS1-52," was false and misleading.

DISPOSITION: 9-7-56. Default—destruction.

5184. Clinical thermometers. (F. D. C. No. 39245. S. Nos. 49-294/5 M.)

QUANTITY: 240 *clinical thermometers* (124 rectal and 116 oral) at Detroit, Mich.

SHIPPED: 4-17-56, from Brooklyn, N. Y., by Hygrade Thermometer Co.

LABEL IN PART: (Ctn.) "One Fever Thermometer * * * Kind Rectal (or Oral)."

ACCOMPANYING LABELING: Insert designated "Certificate for Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination revealed that 11 out of 20 rectal thermometers and 22 out of 28 oral thermometers taken from the above shipment failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 5-23-56, E. Dist. Mich.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the following statements in the labeling of the article, when shipped, were false and misleading since they were contrary to fact, namely, (ctn.) "Certification This thermometer has been made according to the regulations, and compared with standard thermometers. Verified by The U. S. Bureau Of Standards" and (leaflet) "Certificate For Clinical Thermometers Identification Number * * * Date * * * This Thermometer bearing the above trade mark and serial number has been carefully tested and compared, on above date, with our standard thermometer (certified by the United States Bureau of Standards)."

DISPOSITION: 7-16-56. Default—destruction.

5185. Clinical thermometers. (F. D. C. No. 39421. S. No. 52-761 M.)

QUANTITY: 288 *clinical thermometers* at Brooklyn, N. Y.

SHIPPED: 6-28-56, from Fort Smith, Ark., by Fort Smith Surgical Supply Co.

LABEL IN PART: (On thermometer) "Hygrade Oral"; (box) "3 Dozen Hospital Pack Brand Clinical Thermometers Type: Oral."

RESULTS OF INVESTIGATION: Examination of 24 thermometers revealed that 4 thermometers failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 10-31-56, E. Dist. N. Y.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the following statements in the labeling of the article were false and misleading since they were contrary to fact, namely, (insert in each box) "This Certifies that the enclosed thermometers have been tested on the above date and are correct. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards, Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-52 Department of Commerce)."

DISPOSITION: 12-4-56. Default—destruction.

5186. Clinical thermometers. (F. D. C. No. 39032. S. No. 25-386 M.)

QUANTITY: 120 *clinical thermometers* at Seattle, Wash.

SHIPPED: 3-2-56, from Brooklyn, N. Y., by Cardinal Thermometer Co.

LABEL IN PART: (Ctn.) "Cardinal Fever Thermometer Kind—Oral."

ACCOMPANYING LABELING: (Leaflet in ctn.) "Certificate of Accuracy For Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination of 24 thermometers revealed that 9 failed to comply with Commercial Standard CS1-52 since 8 failed to give